

3/21/2025 6:18PM
U.S. BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

Jacqueline E. Ard and Terry F. Nicola

Debtor(s).

C/A No. 24-03611-JD

JOINT STATEMENT OF DISPUTE
AND STIPULATION

The undersigned hereby certify that after consultation, the hearing originally scheduled for March 26, 2025, at 2:00 PM, after good faith efforts cannot be settled and remains contested so as to require the presentation of evidence and/or argument to the Court for determination. By entering into or filing this statement, the parties shall be limited to and bound by the positions provided herein. The following information is presented by way of stipulation of the parties:

1. Issues to be decided by the Court: The varies violations of law that occurred while the Debtors were were in an active Chapter 13 Bankruptcy, the Creditors were given notice, and were aware that there was an active Bankruptcy filing and they willfully disregarded the injunction and violated the law; The Creditors are habitual offenders of the law during the automatic stay they also violated State, Local, and Federal laws; All claims of Creditors that willfully violate the Automatic Stay order are Void; Award of Damages for violating the Automatic Stay; Award for punitive damages for violating the Automatic Stay. Permanent Injunction for Board Members to act in accordance to the law and Due No further Harm.
2. Position of Party/Parties (state briefly but with specificity): The Debtors believe and can evidence that the Defendants violated the Automatic Stay, and other State and Federal laws and caused irreparable harm to the Debtors.
3. Names of Witnesses to be called at the hearing. Matthew Paul, Janet Spinelli, Ralph Paine, John Curtis, Debra Schumann, Evan Bromley, Julie Franklin,
4. Exhibits/Evidence to be presented (state whether admission is stipulated or any grounds for objection).
 - Email to the Association and their Counsel of the filing of the Bankruptcy Case
 - Confirmation Email from the Associations Counsel that all proceedings and action would be Stayed

- Evidence of Illegal collection actions pursuant to the Fair Debt Collection Act: Harassing Demand Letter from the Association threatening that all access to my home would be revoked if full payment was not received by the deadline provided
- Evidence of Violation of the Debtors Constitutional property rights: Copy of tow sticker that states the reason for tow: Parking Decal Revoked
- Evidence of the Association illegally towing my vehicle from the property on 4 separate occasions
- Exert from the Master Deed 3.1 Common Elements
- Exert from the Master Deed 3.4 Percentage Interest of Units in Common Elements Ex D
- Exert from the Master Deed 7.1 The Association; Board of Directors
- Exert from the Master Deed 7.4 Rules and Regulations
- Exert from the Master Deed Exhibit "F" Section 6, 14, and 15
- Email to Board members to return vehicle by deadline without any consequences
- Email from the Association announcing my private financial affairs to all unit owners, in violation of the Privacy Act and Fair Debt Collection Act
- Verification of the recent Change of Registered Agent for Estate At Westbury

5. Statutory, Case Law or other Applicable Authority.

11 U.S.C. § 362 Automatic Stay

Fair Debt Collection Practices Act (FDCPA)

Fourteenth Amendment

ADA violations

Violation of the Fair Housing Act (FHA)

6. Estimated Length of Hearing. 1 hour and 30 minutes

7. Telephone and Facsimile Number, Electronic Mail address of Counsel/Party/Parties.

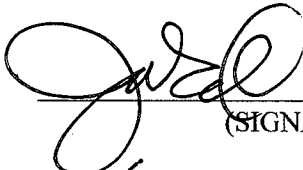
Direct line 313-770-7051


email: jacquelineard72@gmail.com

Physical mailing address: 21215 Dartmouth, Southfield, MI 48076

3-21-2025
(DATED)

3/21/25
(DATED)


(SIGNATURE)


(SIGNATURE)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA (CHARLESTON)

IN RE:)
)
JACQUELINE ELIZABETH ARD and)
TERRY FRANK NICOLA)
Debtors.)
_____)

Case No. 24-03611-jd
Chapter 13

CERTIFICATE OF SERVICE

I, Jacqueline E Ard, state that on March 21, 2025, I electronically filed the Joint Statement of Dispute with the United States Bankruptcy Court for the District of South Carolina (Charleston) using the CM/ECF System. I served the Joint Statement of Dispute on the following CM/ECF participants:

James M. Wyman
US Trustee's Office

I certify that I have delivered by email and by first class mail, postage prepaid, the documents electronically filed with the Court on the following participants:

Julie A. Franklin, Esq. SC Fed Id: 13933
Post Office Drawer 2976
Bluffton, SC 29910
(706) 452-1303
jfranklinlegal@gmail.com

Evan K. Bromley, Esq. SC BAR# 76060
P.O. Box 570
Bluffton, SC 29910
(843) 868-2801
evan@bromleylawfirm.com

Dated: 3/21/2025

Respectfully Submitted,



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